

# **Court Facilities Dispute Resolution Committee**

Ms. Karen Finn, Chair, Representative of the Department of Finance

Justice Ron Robie, Representative of the Judicial Council

Supervisor John Tavaglione, Representative of the California State Association of Counties

April 9, 2009

Michael C. Genest, Director  
Department of Finance  
State Capitol, Room 1145  
Sacramento, CA 95814

Re: Court Facilities Dispute Resolution Committee Recommendation from the  
March 24, 2009, meeting

Dear Director Genest:

This letter is to inform you that the Court Facilities Dispute Resolution Committee (DRC) formally met on March 24, 2009, to hear the Administrative Office of the Judicial Council initiated dispute regarding the failure to reach agreement on the transfer for the Central Justice Center (CXC) in Orange County.

Government Code Section 70301(d) defines court facilities as rooms for holding superior court; chambers of the judges of the court; rooms for the attendants of the court, including, but not limited to rooms for accepting and processing documents filed with the court; heat ventilation, air-conditioning, light and fixtures for those rooms and chambers; common and connecting space to permit proper and convenient use of the rooms; rooms for secure holding of a prisoner attending court sessions, together with secure means of transferring the prisoner to the courtroom; any other area within a building required or used for court functions; grounds appurtenant to the building containing the rooms, and; parking spaces historically made available to one or more users of court facilities.

The Committee's recommendation is detailed below:

## **Central Justice Center**

The AOC sought determination from the DRC that the CXC is a court facility and is subject to transfer under the Trial Court Facilities Act of 2002 (Act), as amended. The County asserted that the CXC exists to provide "temporary" space for the renovation project at the Central Justice Center and that the Court's entitlement to use the CXC concludes upon completion of the renovation project at the Central Justice Center.

The County asserted that because the CXC facility is new and additional courtroom space created after July 1, 1996, to meet needs that did not exist on that date, it is not required to transfer. The CXC is, and has been, used as a court facility since 2001

**Recommendation:** Approve the amended appeal. The Committee members voted unanimously to recommend recognition that the Central Justice Center (CXC) is a court facility, albeit temporary, and subject to the Trial Court Facilities Act of 2002 in terms of transfer.

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Per Government Code Section 70303, the DRC will make recommendations regarding disputes to the Director of the Department of Finance who will then make the final determination. Please accept this letter as the DRC's formal recommendation on the above listed dispute.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Karen Finn', is written over a light blue circular stamp.

Karen Finn, Chair

cc: All Interested Parties of the Court Facilities Dispute Resolution Committee